

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TAMEKA SIMMONS,

10cv8990 (JSR) (RLE)

Plaintiff,  
v.

DECLARATION OF MICHELLE HSU

AKIN GUMP STRAUSS HAUER & FELD LLP,

Defendant.  
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I declare under penalty of perjury, that the following is true and correct to the best of my knowledge:

1. My name is Michelle M. Hsu. I am a senior counsel in the Washington, D.C. office of Akin Gump Strauss Hauer & Feld LLP ("Akin Gump") in the Investment Funds Practice Group. I began working at Akin Gump in 1993. I left the firm to work in-house for one of the firm's major clients, Client B, in 1997.<sup>1</sup> I then returned to Akin Gump in 2000; however, at the firm, I work only on matters for Client B.

2. Beginning in late 2007 and continuing for a period of several months, I worked intermittently on tasks for Client B with Tameka Simmons, an associate in the Investment Funds Practice Group in the New York office.

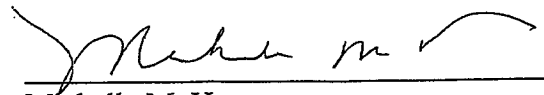
<sup>1</sup> Client names have been replaced with Client A, Client B, Client C, and Client D, because the names of clients are not relevant to any issue in the case and are considered confidential.

3. I was unsatisfied with Ms. Simmons' work performance. Ms. Simmons was consistently unresponsive to requests for critical documents, which would lead to the client expressing understandable annoyance during phone calls to me. Despite speaking to Ms. Simmons about these issues, she never improved. Accordingly, by mid-2008 I no longer gave any tasks for Client B to Ms. Simmons.

4. I told Prakash Mehta, the co-chair of the Investment Funds Practice Group, that I was unsatisfied with Ms. Simmons' work performance and that I was no longer willing to work with her.

5. Jason Stramel, an associate in the Investment Funds Practice Group in the D.C. office, worked with me on tasks for Client B. Mr. Stramel was laid off as part of the firm-wide formal reduction in force in March 2009. At that time, my work on matters for Client B had slowed. However, by October 2009, my work on matters for Client B had again become quite busy, and I needed additional assistance. I therefore requested that the firm rehire Mr. Stramel as a staff attorney to assist me with certain routine fund administrative matters. He was already familiar with the document management system and had been successful with complying with that system in the past. The firm rehired Mr. Stramel as a staff attorney in February 2010, and his employment was terminated at the end of 2010.

I declare under penalty of perjury that the foregoing is true and correct.



Michelle M. Hsu

Date: 3/31/11